



Connell Foley LLP
 888 7th Avenue, 9th Floor
 New York, NY 10106
 P 973.535.0500 F 973.535.9217

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 DOCUMENT
 ELECTRONICALLY FILED
 DOC #:
 DATE FILED: 11/17/2020

Associate
 EHaggerty@connellfoley.com

November 16, 2020

VIA E.C.F.

Hon. Analisa Torres, District Judge
 United States District Court
 500 Pearl Street
 New York, New York 10007-1312
 Torres_nysdchambers@nysd.uscourts.gov

**Re: Wausau Underwriters Insurance Company v. Hector Lopez and Cruz
 Orlando Raphael Santiago**
 Civil Action No.: 1:20-cv-7730

Dear Judge Torres:

My office represents Plaintiff, Wausau Underwriters Insurance Company ("Wausau"), with regard to the above-referenced matter. This case is scheduled for an Initial Pretrial Conference before Your Honor on **November 23, 2020 at 11:40 a.m.** I write to request an adjournment of that conference and related submission deadlines. This is the original date of the conference, and there have been no previous requests for adjournment.

At this time, one Defendant, Hector Santiago, has been served, but his time to file a responsive pleading has not expired. Counsel for the second Defendant, Cruz Orlando Raphael Lopez, has agreed to accept service on behalf of his client, and I await the signed waiver of service form. Due to the state of service and pleading deadlines, additional time is required before the Initial Pretrial Conference can proceed.

By way of a more detailed explanation, Wausau filed its Complaint against Defendants on September 18, 2020, and the Court issued Summonses to Defendants on September 21, 2020. The Summons, Complaint, and a Notice of Lawsuit and Request to Waive Service of a Summons form were sent to each Defendant at their last known addresses on September 25, 2020. These documents were also sent to the attorneys representing Defendants in related Underinsured Motorist ("UIM") arbitrations. The parties did not return the Waiver of Service forms within the requested 35 days, and Wausau forwarded the Summonses and Complaints to a process server on November

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3, 2020. Santiago was successfully served on November 4, 2020. Lopez has not been personally served to date, but on November 11, 2020, counsel for Santiago in the related UIM arbitration agreed to accept service on his behalf.

Wausau has been diligent in attempting to serve the parties. However, additional time is required to allow the Defendants to appear by counsel and to engage in discussions in anticipation of an Initial Pretrial Conference. Based on the foregoing, I respectfully request that the November 23, 2020 conference be adjourned.

Respectfully submitted,

/s/ Evan D. Haggerty

Evan D. Haggerty

GRANTED. The conference scheduled for November 23, 2020, is ADJOURNED to **December 22, 2020, at 10:20 a.m.** By **December 15, 2020**, the parties shall submit a joint status letter and case management plan.

SO ORDERED.

Dated: November 17, 2020
New York, New York



ANALISA TORRES
United States District Judge